

OCT 30 2007

Duane Morris*

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FACSIMILE TRANSMITTAL SHEET

TO: Office of Petitions

FIRM/COMPANY: USPTO – Commissioner of Patents

FACSIMILE NUMBER: 571.273.8300

FROM: Frank J. Spanitz

DIRECT DIAL: 215.979.1554

DATE: October 30, 2007

FILE NUMBER: E6025-00009

TOTAL # OF PAGES: 9
(INCLUDING COVERSHEET)

MESSAGE: RE: U.S. Patent No.: 7,258,313
U.S. Patent Application No.: 10/809,598
Filed: March 24, 2004
Title: Method For Leveling An Object
By: Edward Gabriel
Confirmation No.: 7245
Art Unit: 3632
Attorney Docket No.: E6025-00009 (old docket no.: 61166-0010-01)

**Petition Under 37 CFR 1.183 For Waiver of 37 CFR 3.81 to
Issue Certificate Of Correction to Remove Errant Assignee
Name; Authorization to charge fee(s) to Deposit Account.**

NOTE: Original will not follow

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If there is a problem with this transmission, please call us as soon as possible at 215.979.1550.

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10/30/2007 04:05 FAX 610 264 3295

DUANE MORRIS-ALLENTOWN

OCT 30 2007

002/009

New Attorney Docket #: E6025-009
(Old Docket#: 61166-0010-01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.:	7,258,313		
Application No.:	10/809,598	Confirmation No.:	7245
Inventor(s):	Edward Gabriel	Art Unit.:	3632
Filed:	March 24, 2004	Examiner:	TAN LE
Title:	Method for Leveling an Object		

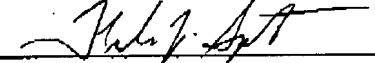
**PETITION UNDER 37 CFR 1.183 FOR WAIVER OF 37 CFR 3.81 TO ISSUE
CERTIFICATE OF CORRECTION TO REMOVE ERRANT ASSIGNEE NAME
*via Facsimile***

Attn: Office of Petitions
Commissioner of Patents
Box DAC
Washington, DC 20231

Applicant hereby submits this petition under 37 CFR 1.183 requesting that the requirements of 37 CFR 3.81 be waived to issue a certificate of correction to remove the assignee name from the above-reference patent. This petition is filed in response to a notice from the USPTO (attached hereto) advising that Applicant is required to submit this petition in order for a certificate of correction to be issued. A copy of the request for certificate of correction previously filed by the Applicant on September 11, 2007 is attached hereto.

CERTIFICATE OF FACSIMILE FILING TRANSMISSION

I hereby certify that the attached document and any attachments identified therein are being transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below.



Frank J. Spanitz (Reg. No. 47,104)

October 30, 2007

Date

11/02/2007 EAYALEW1 00000001 041679 7258313

01 FC:1811	100.00 DA
02 FC:1464	130.00 DA

New Attorney Docket #: E6025-009
(Old Docket#: 61166-0010-01)
App. Serial No.: 10/809,598

Company, Inc."). This field should have been left blank, as the above-referenced patent has never been assigned and remains the property of Mr. Edward Gabriel, the Inventor/Applicant. Applicant therefore respectfully requests that this petition be granted and that the attached request for certificate of correction be issued to delete the name of the assignee identified on the patent cover page ("Sturm, Ruger and Company, Inc."). The assignee field should be blank, and issuance of the certificate of correction is appropriate to provide public notice that "Sturm, Ruger and Company, Inc." is not the owner of the above-referenced patent.

In the event this petition is granted Applicant respectfully requests that the file be forwarded to the Certificate of Correction Branch for issuance of a Certificate of Correction.

The Commissioner is hereby authorized to charge the required petition fee under 37 CFR 1.117(h) estimated to be \$130, the certificate correction fee under 37 CFR 1.20(a) estimated to be \$100, and any other fees that may be required in conjunction with this petition and request for correction to our Deposit Account 04-1679.

Copy of this page attached for accounting.

Please direct any questions or requests for additional information to Applicant's undersigned representative at 215.979.1554.

Respectfully submitted,

Dated: October 30, 2007

By: 

Frank J. Spanitz Reg. No. 47,104

CUSTOMER NO. 67812
Duane Morris LLP
968 Postal Road, Suite 110
P.O. Box 90400
Allentown, PA 18109-0400
Telephone: (215) 979-1550
Telecopier: (610) 264-3295

New Attorney Docket #: E6025-009
(Old Docket#: 61166-0010-01)
App. Serial No.: 10/809,598

Company, Inc.”). This field should have been left blank, as the above-referenced patent has never been assigned and remains the property of Mr. Edward Gabriel, the Inventor/Applicant. Applicant therefore respectfully requests that this petition be granted and that the attached request for certificate of correction be issued to delete the name of the assignee identified on the patent cover page (“Sturm, Ruger and Company, Inc.”). The assignee field should be blank, and issuance of the certificate of correction is appropriate to provide public notice that “Sturm, Ruger and Company, Inc.” is not the owner of the above-referenced patent.

In the event this petition is granted Applicant respectfully requests that the file be forwarded to the Certificate of Correction Branch for issuance of a Certificate of Correction.

The Commissioner is hereby authorized to charge the required petition fee under 37 CFR 1.117(h) estimated to be \$130, the certificate correction fee under 37 CFR 1.20(a) estimated to be \$100, and any other fees that may be required in conjunction with this petition and request for correction to our Deposit Account 04-1679.

Copy of this page attached for accounting.

Please direct any questions or requests for additional information to Applicant’s undersigned representative at 215.979.1554.

Respectfully submitted,

Dated: October 30, 2007

By: 

Frank J. Spanitz Reg. No. 47,104

CUSTOMER NO. 67812
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968 Postal Road, Suite 110
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Allentown, PA 18109-0400
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005/009



OCT 30 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

10/15/07

Patent No. : 7,258,313 B2
Application No : 10/809,598
Inventor(s) : Gabriel
Issued : August 21, 2007
Title : METHOD FOR LEVELING AN OBJECT

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322 and or 1.323.

Granting of a petition under 37 Code of Federal Regulations (CFR) 1.183, requesting the requirements of 37 CFR 3.81 to be waived, is required to correct applicant's error in the Assignee (see Manual of Patent Examining Procedures (M.P.E.P) Chp.1400, sect. 1481, pgs.1400-64). Such a petition is required, when the *correct* assignee's name *and/or* address *was not provided* in accordance with either section 3.81(a) or (b) (either no data or an incorrect data, i.e. typographical, misspelling, ...), was provided in item 5 of the Issue Fee Transmittal (PTOL-85b), when the assignment had been recorded or submitted for recordation at the time the issue fee was paid or when an incorrect name was provided in the petition required by section 3.81(b) when the assignment submitted for recording after the date of payment of the issue fee, but prior to issuance of the patent). This procedure is required at *any* time after the issue fee is paid, including after issuance of the patent.

In view of the foregoing, your request is hereby denied.

Petition to correct the Assignee under 37 CFR 1.183 should include:

- (1) the petition fee set forth in 37 CFR 1.117(h) (currently \$130);
- (2) the correct name and address of the assignee; and
- (3) the reel and frame number where the assignment(s) is recorded or proof of the date the assignment was submitted for recordation.

In the Petition, Applicant(s) may request that the file is forwarded to Certificates of Correction Branch, for issuance of a Certificates of Correction, if the Petition is granted. No additional request and PTOL 1050 forms, must be submitted, *if only* correction to

Assignee data was requested and noted on the PTOL 1050 form, which accompanied the original request.

Any petition under 37 CFR 1.183 should be directed to the attention of the Assistant Commissioner for Patents, using the following mailing address or FAX number.

By Mail: Commissioner of Patents and Trademarks
Box DAC
Washington, D.C. 20231

By Fax: (703) 308-6916
Attn.: Office of Petitions

If the Petition under 37 CFR 1.183 is filed and granted, the patentee would be entitled to a certificate of correction under 37 CFR 1.323 (required fee currently \$100, if not previously submitted), due to the mistake in not complying with CFR 3.81.

Valerie Jackson
Decisions & Certificates
of Correction Branch
(703) 308-9390 ext. 114

Frank J. Spanitz, Duane Morris LLP,
968 Postal Road, Suite 110
Allentown, PA 18109-0400

vj/CBN

OCT 30 2007

New Attorney Docket #: E6025-009
(Old Docket#: 61166-0010-01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,258,313
Application No.: 10/809,598 Confirmation No.: 7245
Inventor(s): Edward Gabriel Art Unit.: 3632
Filed: March 24, 2004 Examiner: TAN LE
Title: Method for Leveling an Object

REQUEST FOR CERTIFICATE OF CORRECTION
via electronic filing

Attention Certificate of Corrections Branch
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

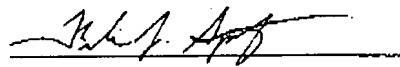
Applicant hereby submits this request for certificate of correction, the attached certificate of correction, and required fee(s) for error on part of Applicant for the above-reference patent. Applicant respectfully requests that the name of the assignee identified on the patent cover page ("Sturm, Ruger and Company, Inc.") be deleted. This patent has never been assigned and remains the property of Mr. Edward Gabriel, the Inventor/Applicant. The assignee's name field on the Issue Fee Transmittal Form incorrectly contained an errant reference to an assignee due to Applicant's mistake, and should have been left blank.

Since the error occurred due to a mistake by the Applicant, the Commissioner is hereby authorized to charge the required correction fee under 37 CFR 1.20(a) of \$100, and any other fees that may be required to make the foregoing correction, to our Deposit Account 04-1679.

Copy of this page attached for accounting.

CERTIFICATE OF ELECTRONIC FILING TRANSMISSION

I hereby certify that the attached document and documents identified therein are being transmitted electronically to the United States Patent and Trademark Office via electronic filing on the date indicated below.


Frank J. Spanitz (Reg. No. 47,104)

September 11, 2007
Date

New Attorney Docket #: E6025-009
(Old Docket#: 61166-0010-01)
App. Serial No.: 10/809,598

Respectfully submitted,

Dated: September 11, 2007

By: 

Frank J. Spanitz Reg. No. 47,104

CUSTOMER NO. 67812
Duane Morris LLP
968 Postal Road, Suite 110
P.O. Box 90400
Allentown, PA 18109-0400
Telephone: (215) 979-1550
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PTO/SB/44 (09-07)

Approved for use through 08/31/2010. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,258,313

APPLICATION NO.: 10/809,598

ISSUE DATE : August 21, 2007

INVENTOR(S) : Edward Gabriel

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Cover page, Assignee name, delete "Sturm, Ruger & Company, Inc."

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Frank J. Spanitz, Duane Morris LLP,
968 Postal Road, Suite 110
Allentown, PA 18109-0400

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.